

**17—8.3 (231) Interference.**

**8.3(1)** A local long-term care resident's advocate/ombudsman or trained volunteer long-term care ombudsman certified under rule 17—8.7(231) who is denied access to a resident or tenant in a long-term care facility, assisted living program, or elder group home or to medical and personal records while in the course of conducting official duties or whose work is interfered with during the course of an investigation shall report such denial or interference to the office of the state long-term care resident's advocate who will report the interference to the director of the department on aging.

**8.3(2)** Access to facility records. Copies of a resident's medical or personal records maintained by the facility, or other records of a long-term care facility, assisted living program, or elder group home, may be made with the permission of the resident, the resident's responsible party, or the legal representative of the resident. All medical and personal records shall be made available to a volunteer long-term care ombudsman for review if:

- a.* The volunteer long-term care ombudsman has written permission from the resident, the legal representative of the resident, or the responsible party; and
- b.* Access to the records is necessary to investigate a complaint; and
- c.* The volunteer long-term care ombudsman obtains approval of the resident's advocate/ombudsman or designee.

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